

William L. Medford
Texas State Bar No. 00797060
wmedford@qslwm.com
Quilling, Selander, Lownds, Winslett & Moser, P.C.
2001 Bryan Street, Suite 1800
Dallas, Texas 75201
(214) 871-2100 – Telephone
(214) 871-2111 – Facsimile

ATTORNEYS FOR MILO H. SEGNER,
THE CHAPTER 11 TRUSTEE FOR
MULLIGAN MINT, INC.

Larry Alan Levick
Texas State Bar No. 12252600
levick@singerlevick.com
Singer Levick, P.C.
16200 Addison Rd., Suite 140
Addison, TX 75001
(972) 380-5533 - Telephone
(972) 380-5748 – Facsimile

ATTORNEYS FOR MICHELLE CHOW
THE CHAPTER 7 TRUSTEE FOR
DAVID MATTHEW GRAY

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:	§	
	§	
MULLIGAN MINT, INC.,	§	CASE NO. 13-34728-sgj-11
	§	(Chapter 11)
DEBTOR	§	

**JOINT MOTION FOR 2004 EXAMINATION OF EVOLVING HEART MISSION,
ROBIN RUNYAN, BRETT ROMNEY, THE CYNTHIA MORREY 2009 TRUST, ADM
INVESTOR SERVICES, INC., CH2D PRODUCTIONS, STEVEN GREER,
PRESERVATION OF WEALTH, AND CHRISTOPHER DUANE COMBINED WITH
BRIEF IN SUPPORT**

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT 1100 COMMERCE STREET, ROOM 1254, DALLAS, TEXAS 75242-1496 BEFORE CLOSE OF BUSINESS ON MAY 11, 2015, WHICH IS AT LEAST 24 DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY. IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

TO THE HONORABLE STACEY G.C. JERNIGAN, U. S. BANKRUPTCY JUDGE:

Milo H. Segner, Jr., the Chapter 11 Trustee for the Bankruptcy Estate of Mulligan Mint, Inc. (the “*Mulligan Trustee*”) and Michelle Chow, the Chapter 7 Trustee for the Bankruptcy

Estate of David Matthew Gray (the “**Gray Trustee**”) (collectively, the “**Trustees**”) herein files their Motion for 2004 Examination of Evolving Heart Mission, Robin Runyan, Brett Romney, The Cynthia Morrey 2009 Trust, ADM Investor Services, Inc., CH2D Productions, Steven Greer, Preservation of Wealth, and Christopher Duane, Combined with Brief in Support (“**Motion**”) as follows:

1. This Court has jurisdiction over this matter pursuant to the provisions of 28 U.S.C. §§ 1334 and 157. This matter constitutes a “core” proceeding within the meaning of 28 U.S.C. § 157(b)(2).

2. The Debtor filed its voluntary petition for relief under Chapter 11 of the Bankruptcy Code on September 13, 2013. On November 18, 2013 the Court appointed the Mulligan Trustee as permanent Chapter 11 Trustee after appointing him as Interim Trustee *sua sponte* the previous month.

3. Prior to the bankruptcy filing, the Debtor designed or used the designs of others to mint commemorative coins and medallions, primarily in silver. Republic Metals Corporation (“**RMC**”) was a supplier of silver to the Debtor and the predecessor d/b/a’s.

4. Rob Gray (“**Rob**”) was the Chief Executive Officer of the Debtor prior to his resignation on November 15, 2013 and David Gray (“**David**”) was its Chief Operating Officer until his termination on December 15, 2013. Rob and David together are the “**Gray Brothers**.”

5. At some point, the relationship with RMC went horribly wrong. The exact facts are disputed, but it appears that a sizable amount of silver went missing in the summer of 2013.

6. Consequently, RMC filed suit against the Debtor, Rob Gray, and David Gray, among others, styled *Republic Metals Corporation vs. Mulligan Mint, Inc., et al*, Cause No. DC-13-07434, in the 193rd District Court, Dallas County, Texas (the “**State Court Lawsuit**”). Due to

various issues relating to potential estate causes of action, as well as potential property of the estate, the Debtor sought and this Court granted a temporary restraining order against RMC. Irrespective, RMC has alleged that large amounts of silver were converted by the Gray Brothers and the Debtor. The Debtor, however, had very little cash on hand. As such, the Trustees are investigating the use and disposition of such silver and/or the proceeds therefrom.

7. Prior to the Debtor's bankruptcy filing, Debtor held one or more bank accounts with Comerica Bank and Capital One Bank. In addition, prior to and after its incorporation, David Gray held several bank accounts under his personal name along with a d/b/a designation. These accounts were utilized post-incorporation along with the Debtor's bank account. Funds flowed to and from these accounts, from which transfers were made. Transfers from these d/b/a accounts appear related to both Mr. Gray's personal affairs as well as the Debtor's business affairs. As such, several of these accounts served as conduit accounts for the Debtor. The Trustees have reviewed numerous bank statements and have identified certain entities for which the Trustees have no understanding the underlying basis for services. The Trustees believe that certain of these entities may be the recipient of fraudulent transfers and/or may have liability to the bankruptcy estate under certain other legal theories.

8. Pursuant to Fed. R. Bankr. P. 2004(b), upon motion of any party in interest, the Court may order the examination of any entity relating to the acts, conduct or property, or the liabilities and financial condition of the debtor, or to any other matter which may affect the administration of the debtor's estate.

9. The Trustees need additional information from (a) Evolving Heart Mission, (b) Robin Runyan, (c) Brett Romney, (d) The Cynthia Morrey 2009 Trust, (e) ADM Investor Services, Inc., (f) CH2D Productions, (g) Steven Greer, (h) Preservation of Wealth, and (i)

Christopher Duane (collectively, the “*Examinees*”) to investigate, evaluate, and possibly pursue potential causes of action against third parties. In particular, the Trustees need to determine if certain transfers were made for value given and/or for other reasons.

10. A proposed list of documents to be produced by Evolving Heart Mission is attached hereto as Exhibit “A” and is fully incorporated herein.

11. A proposed list of documents to be produced by Robin Runyan is attached hereto as Exhibit “B” and is fully incorporated herein.

12. A proposed list of documents to be produced by Brett Romney is attached hereto as Exhibit “C” and is fully incorporated herein.

13. A proposed list of documents to be produced by The Cynthia Morrey 2009 Trust is attached hereto as Exhibit “D” and is fully incorporated herein.

14. A proposed list of documents to be produced by ADM Investor Services, Inc. is attached hereto as Exhibit “E” and is fully incorporated herein.

15. A proposed list of documents to be produced by CHD2 Productions is attached hereto as Exhibit “F” and is fully incorporated herein.

16. A proposed list of documents to be produced by Steven Greer is attached hereto as Exhibit “G” and is fully incorporated herein.

17. A proposed list of documents to be produced by Preservation of Wealth is attached hereto as Exhibit “H” and is fully incorporated herein.

18. A proposed list of documents to be produced by Christopher Duane is attached hereto as Exhibit “I” and is fully incorporated herein.

WHEREFORE, PREMISES CONSIDERED, the Trustees request that this Court enter an order (a) authorizing the Trustee to take the examination of the Examinees to obtain the

documents described in the respective lists attached hereto, (b) ordering each Examinee to produce all responsive documents described in the respective Exhibit, within their possession, custody, or control at the time and place specified by the Trustees, subject to the requirements of the applicable Federal Rules of Bankruptcy Procedure; and granting the Trustees such other and further relief, at law or in equity, to which they may be justly entitled.

Respectfully submitted,

By: /s/ William L. Medford
William L. Medford
Texas State Bar No. 00797060
QUILLING, SELANDER, LOWNDS,
WINSLETT & MOSER, P.C.
2001 Bryan Street, Suite 1800
Dallas, Texas 75201-4240
Telephone: (214) 871-2100
Facsimile: (214) 871-2111
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By: /s/ Larry Alan Levick
Larry Alan Levick
Texas State Bar No. 12252600
levick@singerlevick.com
Singer Levick, P.C.
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CERTIFICATE OF CONFERENCE

To the best of my knowledge and information, none of the Examinees listed herein are represented by counsel in connection with the relief requested herein. Therefore, no conference could be held.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion has been served via ECF to those parties receiving electronic notice on April 17, 2015, via regular mail the next business day following filing to those parties on the shortened creditors' list and on the parties listed below. *(The service list is omitted from service copies to avoid unnecessary copying and postage charges.)*

Evolving Heart Mission
4561 Carambola Circle South
Pompano Beach, FL 33066

Robin Runyan
2505 South 320th Street, Suite 110
Federal Way, WA 98003

Brett Romney
Romney Precious Metals LLC
PO Box 910145
St. George, UT 84770

The Cynthia Morrey 2009 Trust
2557 Rampart Ter.
Reno, NV 89519-8362

ADM Investor Services, Inc.
141 W Jackson Blvd., Ste. 1600-A
Chicago, IL 60604

CH2D Productions
PO Box 265
Crozet, VA 22932

Steven Greer
PO Box 265
Crozet, VA 22932

Preservation of Wealth
15851 Dallas Parkway
Addison, TX 75001

Christopher Duane
Silver Shield Group, LLC
5142 Center Road
Brunswick, OH 44212-3216

/s/ William L. Medford
William L. Medford